



# House of Commons

## NOTICES OF AMENDMENTS

given up to and including

**Thursday 14 June 2012**

### COMMITTEE OF THE WHOLE HOUSE

#### ELECTORAL REGISTRATION AND ADMINISTRATION BILL

#### NOTE

The Amendments have been arranged in accordance with the Order of the House [23 May 2012].

Mr Wayne David  
Angela Smith

- 2**
- ★ Clause 1, page 2, line 8, at end add ‘if the Electoral Commission believes that the new electoral system is operating effectively’.

Mr Wayne David  
Angela Smith

- 3**
- ★ Schedule 1, page 16, line 20, at end insert—  
‘(6A) The Minister must ensure that a formal appeals process is in place for any person in respect of whose registration a determination has been made under subsection (1).’.

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**Electoral Registration and Administration Bill, *continued***

Dan Rogerson

1

Clause 2, page 2, line 44, at end insert—

- ‘(2A) Provision must ensure that application forms ascertain the eligibility of an applicant to register in another local authority area, and which local authority area or areas’.

Mr Wayne David  
Angela Smith

4

- ★ Clause 2, page 3, line 4, leave out from ‘(3)’ to end of line 9 and insert ‘will require a person to provide their date of birth and National Insurance number’.

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Mr Wayne David  
Angela Smith

5

- ★ Schedule 2, page 18, line 27, at end insert—

‘(4A) In section 53 of the Representation of the People Act 1983 (power to make regulations as to registration, etc), after subsection (1) insert—

“(O) Provisions shall be made by regulations requiring local authorities to share data with a registration officer in Great Britain for the purpose of—

- (a) verifying information relating to a person who is registered in a register maintained by the officer or who is named in an application for registration in, or alteration of, a register,
- (b) ascertaining the names and addresses of people who are not registered but who are entitled to be registered, or
- (c) identifying those people who are registered but who are not entitled to be registered.

(O) Registration officers in Great Britain are to be under an obligation to utilise such information for these purposes.”.’

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Mr Wayne David  
Angela Smith

6

- ★ Clause 4, page 3, line 39, leave out from ‘canvass’ to end of line and insert—

‘(1A) The annual canvass must be held during the month of October every year in relation to the area for which the officer acts.’

Mr Wayne David  
Angela Smith

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- ★ Clause 4, page 4, line 6, at end insert—

‘(3A) Each local authority must write once a year to each address in their Local Land and Property Gazetteer (in Scotland the local addresses in the One Scotland Gazetteer).

**Electoral Registration and Administration Bill, *continued***

- (3B) Local authorities must also write to those properties not listed in the Gazetteer but which the local authority believes have been built in the previous two years.
- (3C) In addition, the local authority should write to every property from which an electoral registration form has been returned within the past 10 years, except where the officer has good reason to believe that the property is no longer residential or has been demolished, and
- (3D) The local authority should write to each property to which it has served a notice for charges or taxes within the previous five years.’.

Mr Wayne David  
Angela Smith

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- ★ Clause 4, page 4, line 9, leave out ‘may’ and insert ‘must’.

Mr Wayne David  
Angela Smith

9

- ★ Clause 4, page 4, line 13, at end insert—
- ‘(5A) All higher and further education institutions must cooperate with local officers in providing a comprehensive list of students in all forms of residential accommodation.
- (5B) Such lists must be provided at the start of each academic year.
- (5C) Local authority officers must write individually to all students with an electoral registration form.’.

Mr Wayne David  
Angela Smith

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- ★ Clause 4, page 4, line 13, at end insert—
- ‘(5D) In all forms of sheltered accommodation the person with responsibility for managing an individual premises must provide a list on an annual basis of individual residents to the local authority officer.
- (5E) The local authority officer must write individually to all residents whose names have been provided on such lists.’.

Mr Wayne David  
Angela Smith

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- ★ Clause 4, page 4, line 13, at end insert—
- ‘(5F) All private landlords must provide the relevant local authority on an annual basis with a list of all individuals to whom they rent residential accommodation. The local authority officer must write individually to all residents whose names have been provided on such lists.’.

Mr Wayne David  
Angela Smith

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- ★ Clause 6, page 5, leave out line 27.

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**Electoral Registration and Administration Bill, *continued***

Mr Wayne David  
Angela Smith

24

- ★ Clause 6, page 5, line 27, at end insert—
- ‘(2A) If the Minister considers it appropriate to proceed with the making of an order under subsection (2), the Minister must lay before Parliament—
- (a) a draft of the order, and
- (b) an explanatory document explaining the proposals.
- (2B) Sections 15 to 19 of the Legislative and Regulatory Reform Act 2006 (choosing between negative, affirmative and super-affirmative parliamentary procedure) are to apply in relation to an explanatory document and draft order laid under subsection (2) but as if references to section 14 of that Act were references to subsection (2).’.

Mr Wayne David  
Angela Smith

23

- ★ Clause 6, page 5, leave out lines 28 and 29.

Mr Wayne David  
Angela Smith

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- ★ Clause 6, page 5, line 32, after ‘section’, insert ‘with the exception of an order made under subsection (2)’.

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Mr Wayne David  
Angela Smith

27

- ★ Clause 7, page 6, line 7, leave out ‘give a copy of the report to the Minister’ and insert ‘lay a copy of the report before Parliament’.

Mr Wayne David  
Angela Smith

28

- ★ Clause 7, page 6, line 9, leave out subsection (4) and insert—
- ‘(4) The report must be laid before Parliament no sooner than three months beginning with the day on which the Commission is consulted, and no later than five months beginning with that same day.’.
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**Electoral Registration and Administration Bill, *continued***

Mr Wayne David  
Angela Smith

29

- ★ Clause 8, page 6, line 28, at end insert—
- ‘(3A) The Minister may only make a pilot scheme once written approval from the Electoral Commission has been received.
- (3B) Any such written approval must be published by the Minister.’.

Mr Wayne David  
Angela Smith

12

- ★ Clause 5, page 4, line 32, at end insert—
- ‘(1A) A local authority must include a statement about the importance of electoral registration in its annual communication with residents relating to the payment of council tax.’.

Mr Wayne David  
Angela Smith

13

- ★ Clause 5, page 4, line 32, at end insert—
- ‘(1B) There will be a duty on local authorities to ensure that individuals are invited to register when those individuals move into the area of the local authority and register for council tax purposes.’.

Mr Wayne David  
Angela Smith

14

- ★ Clause 5, page 5, line 14, at end insert—
- ‘(7A) The civil penalty shall be £100.’.

Mr Wayne David  
Angela Smith

16

- ★ Clause 5, page 5, line 15, at end insert—
- ‘(9) Regulations under subsection (2) must require registration officers to include on electoral registration forms a clear explanation that the electoral register is used for other civic purposes.
- (10) There should also be a clear explanation that the electoral register is used for assessing an individual’s credit worthiness and ability to sustain mortgage repayments.’.

Mr Wayne David  
Angela Smith

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- ★ Clause 5, page 5, line 16, at end add—
- ‘(3) Government departments with responsibility for welfare payments, pensions, driving licences, revenue collection, National Insurance and passport applications

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**Electoral Registration and Administration Bill, *continued***

must inform all individuals who apply for these benefits or services of their possible entitlement to join the electoral register.’

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Mr Wayne David  
Angela Smith

- ★ Schedule 3, page 19, leave out lines 9 and 10.

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Mr Wayne David  
Angela Smith

- ★ Schedule 5, page 27, line 21, at end insert—

‘(6) The Government shall report to Parliament annually within two months of the end of the financial year on what money had been made available to local authorities to meet costs of transition to the new register and what safeguards have been put in place to make sure the money has been spent on the specified task.’

21

Mr Wayne David  
Angela Smith

- ★ Schedule 5, page 27, line 44, leave out ‘second’ and insert ‘third’.

20

Mr Wayne David  
Angela Smith

- ★ Schedule 5, page 31, line 6, leave out ‘first’ and insert ‘second’.

18

Mr Wayne David  
Angela Smith

- ★ Schedule 5, page 31, line 19, leave out ‘first’ and insert ‘second’.

19

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Mr Wayne David  
Angela Smith

- ★ Clause 10, page 7, line 34, at end insert ‘, with the exception of an order made under section 6(2)’.
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**Electoral Registration and Administration Bill, *continued****REMAINING NEW CLAUSES**Personation*

John Hemming

NC1

To move the following Clause:—

‘In section 60 of the Representation of the People Act 1983 (Personation) after subsection (2) insert—

- “(2A) The Secretary of State shall introduce regulations by statutory instrument to facilitate actions by electoral registration officers, their agents and others, including candidates and their agents in elections, to—
- (a) prevent, and
  - (b) detect personation.”.’.

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*Other voting offences*

John Hemming

NC2

To move the following Clause:—

‘In section 61 of the Representation of the People Act 1983 (Other voting offences) after subsection (6) insert—

- “(6AA) The Secretary of State shall introduce regulations by statutory instruments to facilitate actions by electoral registration officers, their agents and others, including candidates and their agents in elections, to—
- (a) prevent, and
  - (b) detect the offences listed in subsections (1) to (6).”.’.

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*Representation of the People Act 1985 (Amendment)*

Geoffrey Clifton-Brown  
Tony Baldry  
Mr Gary Streeter  
Mr Robert Buckland  
Mr Robert Walter  
Mr Greg Knight

Sir Paul Beresford

NC3

To move the following Clause:—

- ‘(1) The Representation of the People Act 1985 is amended as follows.

**Electoral Registration and Administration Bill, *continued***

- (2) In section 1 (Extension of parliamentary franchise) omit subsections (3)(c) and (4)(a).
- (3) In section 3 (Extension of franchise for European Parliamentary elections) omit subsections (3)(c) and (4)(a).’.

***Member’s explanatory statement***

*Currently, British citizens can qualify as overseas electors only if they have been resident in the United Kingdom within the previous 15 years. This also applies to Members of the House of Lords for European Parliamentary elections. This amendment would remove this qualifying period, so that British citizens could qualify as overseas electors even if they had ceased to be resident in the United Kingdom more than 15 years before.*

*Voting procedure*

Mrs Eleanor Laing  
Meg Munn  
Mr David Blunkett  
Bob Blackman  
Mr Clive Betts  
Meg Hillier

Jane Ellison  
Stephen Williams

Philip Davies  
Mr John Leech

Nick de Bois

**NC4**

To move the following Clause:—

- ‘(1) Schedule 1 to the Representation of the People Act 1983 (c. 2) (parliamentary elections rules) is amended as follows.
- (2) In rule 37 (voting procedure) after paragraph (6) insert—
- “(7) A voter who is in the polling station or in a queue outside the polling station for the purpose of voting at the time specified for the close of the poll shall be entitled to apply for a ballot paper under paragraph 1 above and a ballot paper shall be delivered and the voter entitled to vote in accordance with this rule.”.’.

***Member’s explanatory statement***

*Currently, voters who are in a queue at a polling station at 10 pm but who have not yet been issued with their ballot paper are unable to cast their vote. This amendment would allow for ballot papers to be issued to any registered voter who is in the polling station or in a queue outside the polling station at 10 pm, in order that they may then cast their vote.*

Mr Wayne David  
Angela Smith

**30**

★ Clause 25, page 14, line 17, at end insert—

- ‘(1A) Before making an order under subsection 1, the Secretary of State must seek the views of the Electoral Commission as to whether the establishment of an electoral register made up solely of electors who have registered individually would help or hinder the achievement of the registration objectives.



**Electoral Registration and Administration Bill, *continued***

- (1B) For these purposes the registration objectives are to secure, so far as is reasonably practicable—
- (a) that persons who are entitled to be registered in a register are registered in it,
  - (b) that persons who are not entitled to be registered in a register are not registered in it, and
  - (c) that none of the information relating to a registered person that appears in a register or other record kept by a registration officer is false.
- (1C) The Commission must submit its assessment, with a recommendation, in a report to the Secretary of State, which must be laid before Parliament as soon as possible by the Secretary of State.
- (1D) If—
- (a) the recommendation in the Electoral Commission’s report is that the establishment of an electoral register made up solely of electors who have registered individually would help the achievement of the registration objectives, and
  - (b) the recommendation is approved by a resolution of each House of Parliament,
- the Secretary of State may make an order bringing Parts 1 and 2 of this Act into force.
- (1E) The Secretary of State may not make such an order if those conditions are not met.
- (1F) If—
- (a) the Electoral Commission’s report does not contain a recommendation to proceed to establish an electoral register made up solely of electors who have registered individually, or
  - (b) the report does contain such a recommendation, but it is not approved by a resolution of each House of Parliament,
- within 12 months after the day on which the report is submitted by the Electoral Commission (in the case mentioned in paragraph (a)) or disapproved in Parliament (in the case mentioned in paragraph (b)), the Secretary of State must require the Commission to submit, by a specified date, a further report under this section containing the terms mentioned in subsection (1A).
- (1G) For the purposes of subsection (1F)—
- (a) a report is disapproved in Parliament when either House decided against resolving to approve the report (or, if both Houses so decide on different days, when the first of them so decides);
  - (b) the date specified by the Secretary of State must be at least one year, but no more than two years, after the day on which the requirement under that subsection is imposed.’.

Mr Wayne David  
Angela Smith

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★ Clause 25, page 14, line 17, at end insert ‘with the exception of Schedule 5, Part 2, which shall come into force by order only once—

- (a) the data matching pilots for pre-verification purposes established by the Electoral Registration Data Schemes Order 2012 have been completed,
- (b) the Electoral Commission has reported on these schemes as under the terms of that Order, and
- (c) the Electoral Commission believes that the completeness of the register will not be negatively affected.’.

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**Electoral Registration and Administration Bill, *continued***


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## ORDER OF THE HOUSE [23 MAY]

That the following provisions shall apply to the Electoral Registration and Administration Bill:

*Committal*

1. The Bill shall be committed to a Committee of the whole House.

*Proceedings in Committee, on consideration and Third Reading*

2. Proceedings in Committee, any proceedings on consideration and proceedings on Third Reading shall be completed in three days.
3. The proceedings shall be taken on the days shown in the first column of the following Table and in the order so shown.
4. The proceedings shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

**TABLE**

<i>Proceedings</i>	<i>Time for conclusion of proceedings</i>
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*First and second days*

Clause 1, Schedule 1, Clause 2, Schedule 2, Clauses 3 and 4, Clauses 6 to 9, Clause 5, Schedules 3 and 5.	The moment of interruption on the second day.
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*Third day*

Clauses 10 to 12, Schedule 4, new Clauses relating to Part 1, new Schedules relating to Part 1, Clauses 13 to 21, remaining new Clauses, remaining new Schedules, Clauses 22 to 26, remaining proceedings in Committee, any proceedings on consideration.	Two hours before the moment of interruption on the third day.
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Proceedings on Third Reading.	The moment of interruption on the third day.
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5. Standing Order No. 83B (Programming committees) shall not apply to proceedings in Committee, to any proceedings on consideration or to proceedings on Third Reading.

*Other proceedings*

6. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.
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